



## Chapter 10. Hazardous Waste Management System: General

### Article 1.5. Conflict of Interest Code

#### §66250. General Provisions.

The Political Reform Act of 1974 (Government Code section 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted regulations (Title 2, California Code of Regulations section 18730 et seq.) which contain the terms of a standard conflict of interest code and which can be incorporated by reference into another agency's code. After public notice and hearing, section 18730 et seq. may be amended by the FPPC to conform to amendments in the Political Reform Act. The terms of section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This section and the following sections, which specify all the terms and procedures for a model conflict of interest code and set forth the conditions under which designated employees must disqualify themselves from influencing governmental decisions, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Department of Toxic Substances Control (Department).

Designated employees shall file statements of economic interest by using instructions and forms prescribed by the FPPC with the person designated to perform this function for the Department. The original statement by the Director of the Department shall be sent to the FPPC and a copy retained by the Department's filing officer along with all other such statements.

NOTE: Authority cited: Section 87300, Government Code. Reference: Sections 87300, 87302, 87306 and 87311, Government Code.

#### HISTORY

1. New article 1.5 (sections 66250-66250.2) and section filed 11-8-2001; operative 12-8-2001. Approved by Fair Political Practices Commission 10-2-2001 (Register 2001, No. 45).

#### §66250.1 Disclosure Categories.

##### Category 1

Designated employees in this category must disclose, pursuant to instructions and forms prescribed by the FPPC, the following:

- (a) All investments and sources of income, including gifts, loans and travel payments, from business or nonprofit entities that do business or receive income from any source within the State of California.
- (b) All interests in real property in California.
- (c) Any positions held in business entities that do business or receive income from any source within the State of California.

##### Category 2

Designated employees in this category must disclose, pursuant to instructions and forms prescribed by the FPPC, the following:

- (a) All investments in business entities whose activities are subject to regulation or oversight by the Department or that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment.
- (b) All interests in real property in California that are owned or operated by a business or nonprofit entity with activities subject to regulation or oversight by the Department or any real property within 2,000 feet of such property.
- (c) Any positions held in business entities whose activities are subject to regulation or oversight by the Department or that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment and income from those sources.
- (d) All sources of income, including gifts, loans and travel payments, from business or nonprofit entities whose activities are subject to regulation or oversight by the Department or that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment.

##### Category 3

Designated employees in this category must disclose, pursuant to instructions and forms prescribed by the FPPC, the following:

- (a) Any positions held in business entities that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment.
- (b) Any source of income, including gifts, loans and travel payments, and investment in business entities that contract, or are of the type that contract, with the Department to provide services, supplies, materials, machinery or equipment.

NOTE: Authority cited: Section 87300, Government Code. Reference: Sections 87300, 87302, 87306 and 87311, Government Code.

#### HISTORY

1. New section filed 11-8-2001; operative 12-8-2001. Approved by Fair Political Practices Commission 10-2-2001 (Register 2001, No. 45).

2. Amendment of section filed 6-10-2003; operative 6-10-2003. Approved by Fair Political Practices Commission 4-15-2003 (Register 2003, No. 24).

3. Amend filed 3-26-2004; operative 4-25-2004. Approved by Fair Political Practices Commission 2-9-2004 (Register

2004, No. 13).

**§66250.2 Employee Designations.  
DESIGNATED EMPLOYEES  
BY POSITIONS**

**ASSIGNED DISCLOSURE  
CATEGORIES**

Accounting Administrators (All Levels)	2
Air Pollution Specialists	2
Assistant Chief Counsels	2
Assistant Laboratory Chief, Public Health Laboratory	2
Associate Budget Analysts	2
Associate Governmental Program Analysts (except in Legislation)	3
Associate Governmental Program Analysts in the Office of Legislation	2
Associate Information Systems Analyst (Specialist)	3
Career Executive Assignments	2
Chemists (Staff and higher)	2
Chief, Hazardous Material Laboratory	2
Consultants*	2
Criminal Investigators (All Levels)	2
Data Processing Managers (All Levels)	3
Division Chiefs, DTSC	2
Engineering Geologists (All Levels)	2
Environmental Biochemists	2
Environmental Planners (Associate and higher)	2
Exempt Appointments	1
Hazardous Substances Engineers (All Levels)	2
Hazardous Substances Scientists (All Levels)	2
Health Program Audit Managers	2
Industrial Hygienists (Associate and higher)	2
Information Officers (I and higher)	2
Management Auditors (All Levels)	2
Programmer Analysts (All Levels)	3
Public Participation Specialists	2
Public Participation Supervisors	2
Records Management Analysts	3
Research Program Specialists II	2
Research Scientists (I and higher)	2
Staff Counsels (All Levels)	2
Staff Information Systems Analyst All Levels)	3
Staff Services Analysts in the Office of Legislation	2
Staff Services Managers (All Levels)	2
Toxicologists (All Levels)	2
Training Officers I	3

\*With respect to consultants, the Director may determine in writing that a particular consultant, although in a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Director's determination is a public record and shall be retained for public inspection.

NOTE: Authority cited: Section 87300, Government Code. Reference: Sections 87300, 87302, 87306 and 87311, Government Code.

**HISTORY**

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